Remarks

The present amendment is in response to the Office action dated 21 July 2008, where the Examiner has rejected claims 1-15 and 17-18. Claim 16 has been indicated as allowable, but is objected to as being dependent up on a rejected base claim. In the present amendment, claims 2, 7 and 14 have been amended and claims 1, 15 and 16 have been canceled without prejudice. Accordingly, claims 2-14 and 17-18 are pending in the present application with claims 7 and 14 being the independent claims. Reconsideration and allowance of pending claims 2-14 and 17-18 in view of the amendments and the following remarks are respectfully requested.

A, Allowable Subject Matter

Applicant thanks the examiner for the indication of allowable subject matter in claim 16. Applicant has amended independent claim 14 to incorporate the subject matter of claim 16 and intervening claim 15. Applicant has also amended independent claim 7 to incorporate the subject matter of allowed claim 16 and intervening claim 15. Finally, Applicant has amended claim 2 to depend from independent claim 14 and now claims 3-6 also depend from claim 14 through intervening claim 2. Accordingly, Applicant believes that independent claims 7 and 14 and their respective dependent claims are all presently in condition for allowance and a notice of allowance including all pending claims 2-14 and 17-18 is respectfully requested.

B. Rejection under 35 USC §103(a)

Applicant disagrees with the rejection of claims 1-15 and 17-18 as set forth in the office action. However, in the interest of advancing prosecution and hastening the issuance of Applicant's claims, Applicant has amended the pending independent claims to include the subject matter of allowable claim 16.

6

Conclusion

For all the foregoing reasons, early allowance of pending claims 2-14 and 17-18 is respectfully requested. If the Examiner believes that a telephone conversation may be useful in advancing prosecution, the Examiner is invited to contact the undersigned at the number listed below. If necessary, applicant requests to extend the period for filing this reply pursuant to 37 CFR 1.136(a) and authorizes the Director to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Procopio Deposit Account No. 50-2075.

Respectfully submitted, Procopio, Cory, Hargreaves & Savitch LLP

Dated: November 19, 2008 By: /Pattric J. Rawlins/

Pattric J. Rawlins Reg. No. 47,887

Procopio, Cory, Hargreaves & Savitch LLP 530 B Street, Suite 2100 San Diego, California 92101-4469 (619) 238-1900